

**DECLARATION FOR PATENT APPLICATION**☒ Original☐ Supplemental☐ Substitute☐ PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a design patent is sought on the invention entitled:

Implantable Devices for Controlling the Internal Circumference of an Anatomic Orifice or Lumen
(Title of the Invention)

the specification of which (check one)

☐ is attached hereto

☒ was filed on August 29, 2003 as U. S. Application Serial Number or PCT
International Application Number 10/651,840
and was amended _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified, by checking the box below, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications			Priority Claimed		Copy Attached	
Application Number	Country	Foreign Filing Date (MM/DD/YYYY)	YES	NO	YES	NO

Inventor: Richard G. CARTLEDGE et al.

For: Implantable Devices for Controlling the Internal Circumference of an Anatomic Orifice or Lumen

Filed: August 29, 2003

Declaration for Patent Application

Page 2

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below and claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Parent Application Number	Filing Date	Status (Mark Appropriate Column Below)		
		Patented	Pending	Abandoned
60/406,841	08/29/02			
60/444,005	01/31/2003			
60/447,383	02/14/2003			
60/462,435	04/12/2003			

As a named inventor, I hereby revoke all prior powers and appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

CUSTOMER NO.
23370

FIRM NAME: KILPATRICK STOCKTON LLP, 1100 Peachtree Street, Suite 2800, Atlanta, Georgia 30309-4530

Attorney and/or Agent	Registration No.
Anthony B. Askew	24,154
John M. Harrington	25,592
Robert E. Richards	29,105
John S. Pratt	29,476
James L. Ewing, IV	30,630
Stephen M. Schaetzel	31,418
James Dean Johnson	31,771
Charles W. Calkins	31,814
Larry A. Roberts	31,871
Jamie L. Greene	32,467
George T. Marcou	33,014
Dean W. Russell	33,452

Attorney and/or Agent	Registration No.
Dawn-Marie Bey	44,442
Tiep H. Nguyen	44,465
Michael J. Dimino	44,657
Lisa C. Pavento	44,669
Kristin L. Johnson	44,807
J. Jason Link	44,874
Goran P. Stojkovich	45,841
Vaibhav P. Kadaba	45,865
J. Michael Boggs	46,563
Tywanda L. Harris	46,758
Cynthia B. Rothschild	47,040
John C. Alemanni	47,384

Inventor: Richard G. CARTLEDGE et al.

For: Implantable Devices for Controlling the Internal Circumference of an Anatomic Orifice or Lumen

Filed: August 29, 2003

Declaration for Patent Application

Page 3

Attorney and/or Agent	Registration No.
David Krasnow	34,203
Charles T. Simmons	35,359
Bruce D. Gray	35,799
Mitchell G. Stockwell	39,389
Jeffery B. Arnold	39,540
Brenda Ozaki Holmes	40,339
Michael J. Turton	40,852
Yoncha L. Kundupoglu	41,130
J. Steven Gardner	41,772
Thomas A. Corrado	42,439
John K. McDonald	42,860
Sima Singadia Kulkarni	43,732
Camilla Camp Williams	43,992
Christopher J. Chan	44,070
John William Ball, Jr.	44,433

Attorney and/or Agent	Registration No.
Geoffrey K. Gavin	47,591
Janina Malone	47,768
Aleta A. Mills	47,794
Eric Sophir	48,499
Leroy M. Toliver	50,409
Todd W. Galinski	51,713
William K. McGreevey	52,012
Elena S. Polovnikova	52,130
Samuel B. Rollins	52,180
David E. Wigley	52,362
Catherine E. Fienning	54,095
J. Clinton Wimbish	54,545
Bret T. Winterle	54,546
Michael A. Bertelson	54,713

I acknowledge the above-listed attorneys and agents and their firm Kilpatrick Stockton LLP represent my employer (if I am an employee and this application has been or will be assigned to my employer) or the entity with which I have contracted (if I am an independent contractor and this application has been or will be assigned to such entity) and in such cases do not represent me individually. I further acknowledge I have not established, nor will I seek to establish, any personal attorney/client relationship with Kilpatrick Stockton LLP in connection with this application and understand that, should I require legal representation, I will obtain such, at my expense, other than through Kilpatrick Stockton LLP.

Send Correspondence to: John S. Pratt, Esq.
Kilpatrick Stockton LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4530

CUSTOMER NO.
23370

Direct telephone calls to: Larry A. Roberts (404) 815-6500

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

Full name of sole or first inventor Richard G. CARTLEDGE

Inventor's signature

Date

Residence

1554 Yellow Heart Way, Hollywood, Florida, 33019

Citizenship U.S.A.

Post Office Address

1554 Yellow Heart Way, Hollywood, Florida, 33019

Inventor: Richard G. CARTLEDGE et al.

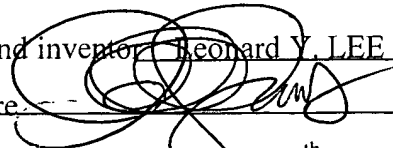
For: Implantable Devices for Controlling the Internal Circumference of an Anatomic Orifice or Lumen

Filed: August 29, 2003

Declaration for Patent Application

Page 4

Full name of second inventor Leonard Y. LEE

Inventor's signature  Date 2-9-2004

Residence 300 East 64th Street, #21-B, New York, NY, 10021

Citizenship U.S.A.

Post Office Address 300 East 64th Street, #21-B, New York, NY, 10021

Full name of third inventor _____

Inventor's signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of fourth inventor _____

Inventor's signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____